

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kiichiro YANO et al.
Title: ANTI-AGING PREPARATION
Appl. No.: 10/518,915
International Filing Date: 6/18/2003
371(c) Date: 12/23/2004
Examiner: Amy L. CLARK
Art Unit: 1655
Conf. No.: 7057

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice of Non-Compliant Amendment mailed on June 24, 2010, which was mailed in error. The undersigned attempted to contact Examiner Clark by telephone on June 28, and June 29, 2010, in order to point out that the Notice was mailed in error since the March 16, 2010, Amendment is in full compliance as discussed below, and to request that the Notice of Non-Compliance be withdrawn. No response to voice mail messages left for Examiner Clark on both days has been received.

The Notice indicates that “The declaration or affidavit that corresponds to the filed Exhibits is missing.” Applicants respectfully point out that no declaration or affidavit corresponds to the filed Exhibits. The four Exhibits were filed with the Amendment on March 16, 2010, to support remarks made in the Amendment as follows:

Exhibit A: page 7, paragraph 1;

Exhibit B: page 7, third paragraph and page 8, fourth paragraph;

Exhibit C: page 8, fourth paragraph; and

Exhibit D: page 8, fourth paragraph.

Applicants submit that the Notice of Non-Compliance was clearly mailed in error and that the Amendment filed on March 16, 2010, was in full compliance. Applicants further submit that no reduction of Patent Term Adjustment should be made as a result of the issuance of the erroneous Notice of Non-Compliance.

Respectfully submitted,

Date June 30, 2010

By 

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